

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2007-366-S – ORDER NO. 2007-868  
DECEMBER 13, 2007

IN RE: Application of Jacabb Utilities, LLC for	) ORDER GRANTING
Approval of a Contract with Tiger	) MOTION FOR
Management Investments, LLC to Serve Phase	) CONFIDENTIAL
I of Rocky Ford Development	) TREATMENT

This matter comes before the Public Service Commission of South Carolina (Commission) on the Motion filed by Jacabb Utilities, LLC (Jacabb or the utility) to treat as confidential certain information filed with the Commission in the present docket. The requested confidential treatment pertains to the filing submitted by Jacabb on October 29, 2007.

On October 4, 2007, Jacabb filed with the Commission an application for approval of an agreement entered into between Jacabb and Tiger Management Investments, LLC for the provision of sewer service by Jacabb to Phase I of Rocky Ford Subdivision located in Anderson County, South Carolina. As part of its application, Jacabb filed on October 29, 2007, certain information required for the utility's application to establish sewer service to Phase I of the Rocky Ford Development. Subsequently, on November 2, 2007, Jacabb filed a Motion for Confidential Treatment requesting that the information submitted on October 29, 2007, be kept confidential. Jacabb asserts in its

Motion that the information provided is company private and should be made available to only the Commission and the South Carolina Office of Regulatory Staff.

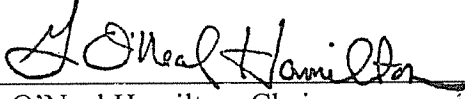
The South Carolina Freedom of Information Act (“FOIA”) allows exemption from disclosure proprietary business information that meets a definition of “trade secrets.” S.C. Code Ann. Section 30-4-40(a)(1) states that matters which may be exempt from FOIA include: “(1) Trade secrets, which are defined as unpatented, secret, commercially valuable plans, appliances, formulas, or processes....Trade secrets also include, for those public bodies who market services or products in competition with others, feasibility, planning, and marketing studies, and evaluations and other materials which contain references to potential customers, competitive information or evaluation.” We find that the information contained in Jacabb’s filing received October 29, 2007, for which the utility seeks protection as confidential meets the definition of “trade secrets” as defined under FOIA. Further, we note that no opposition to Jacabb’s motion has been received, and therefore, we grant Jacabb’s Motion.

IT IS THEREFORE ORDERED THAT:

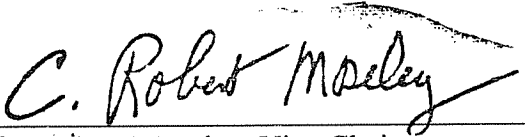
1. The Motion of Jacabb Utilities, LLC for protection is granted. Accordingly, the information submitted by Jacabb Utilities, LLC, to the utility’s application for approval of a contract with Tiger Management Investments, LLC to serve Phase I of Rocky Ford Development is granted confidential treatment and shall be maintained under seal and withheld from public disclosure.

2. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
G. O'Neal Hamilton, Chairman

ATTEST:

  
C. Robert Moseley, Vice Chairman

(SEAL)